

From: [Adam Pollock](#)
To: [Berg, Gabriel](#)
Cc: [Liana Vitale](#); [Sarah Chan](#); [Anna Menkova](#); [Silberfeld, Roman M.](#); [Cohen, Zachary A.](#)
Subject: Re: [EXTERNAL] Wave Studio / Trip.com et al
Date: Wednesday, January 24, 2024 4:57:14 PM
Attachments: [image001.png](#)

Hi Gabe,

As previously indicated, I'm always happy to try to resolve this matter. Feel free to call me any time. Or you could respond to my emails dated October 30, 2023 and December 20, 2023.

In the meantime, while our case has been re-assigned to the Hon. Cathy Seibel, Judge Seibel hasn't issued any kind of consolidation order. Nor has either judge vacated the existing orders that ordered you to make these filings. If you choose to disregard two clear court orders, even after I have reminded you, you do so at your own peril. Please be guided accordingly.

Finally, unless Judge Seibel orders otherwise, I will be following Judge Román's order by filing our reply on the motion to dismiss by February 15. If our motion is unopposed, then our reply will simply notify the court of the un-opposed motion to dismiss.

Yours sincerely,



Adam Pollock

o: +1.646.290.7251
m: +1.718.249.3053

Pronouns: he/him/his



Pollock | Cohen LLP

111 Broadway, Ste. 1804; NY, NY 10006

On Wed, Jan 24, 2024 at 4:45 PM Berg, Gabriel <Gberg@robinskaplan.com> wrote:

Adam,

Per Judge Seibel's ruling at our last hearing, the parties have been ordered to try and settle the matter for the next 90 days in lieu of any motion practice or discovery. We are abiding by the Court's Order in **this** case.

Thanks,

Gabe

Gabriel Berg

Partner

Robins Kaplan LLP | 1325 Avenue of the Americas | Suite 2601 | New York, NY 10019

p 212 980 7458 | f 212 980 7499 | GBerg@RobinsKaplan.com



From: Adam Pollock
Sent: Wednesday, January 24, 2024 4:41 PM
To: Gabriel Berg
Cc: Liana Vitale; [Sarah Chan](#); [Anna Menkova](#);
Subject: [EXTERNAL] Wave Studio / Trip.com et al

Hi Gabe,

As you know, we represent Defendants Trip.com Group Limited, Trip.com Travel Singapore Pte. Ltd., Skyscanner Ltd., MakeMyTrip India Pvt. Ltd., and MakeMyTrip, Inc.

I'm writing to flag that we're still waiting for your response to our pre-motion letter with respect to a stay of discovery, which was due to be filed by January 19, 2024.

Although the case has been re-assigned to Judge Seibel, Judge Seibel has not vacated any of the existing deadlines.

To that end, we also expect you to serve your opposition (if any) to our motion to

dismiss by January 31, 2024.

Finally, I note that you served a purported "AMENDED MASTER COMPLAINT" in the 7:13-cv-09239 action. However, this complaint is inoperative — at least with respect to our clients — because it was filed well after the 21-day limit in FRCP 15(a)(1)(B) and without your seeking leave to amend.

Sincerely yours,



Adam Pollock

o: +1.646.290.7251

m: +1.718.249.3053

adam@pollockcohen.com

Pronouns: he/him/his



Pollock | Cohen LLP

111 Broadway, Ste. 1804; NY, NY 10006

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Thank you in advance for your cooperation.

Robins Kaplan LLP
